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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,460	03/01/2004	Yigal Bejerano	129250-000999/US	9258

32498 7590 01/07/2010  
CAPITOL PATENT & TRADEMARK LAW FIRM, PLLC  
P.O. BOX 1995  
VIENNA, VA 22183

EXAMINER
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TORRES, MARCOS L

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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01/07/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* YIGAL BEJERANO and RANDEEP S. BHATIA

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Application No. 10/788,460  
Technology Center: 2600

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Mailed: January 7, 2010

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Before GLORIA HENDERSON, *Review Team Paralegal*  
HENDERSON, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on January 4, 2010. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter(s) requiring attention prior to docketing are identified below.

Application No. 10/788,460

REPLY BRIEF NOTED

On November 7, 2009, applicants filed a timely Reply Brief. In accordance with the revision effective September 13, 2004, Title 37, Code of Federal Regulations, §41.43 states:

(a)(1)... the primary examiner must acknowledge receipt and entry of the reply brief. In addition, the primary examiner may withdraw the final rejection and reopen prosecution or may furnish a supplemental examiner's answer responding to any new issue raised in the reply brief.

CONCLUSION

Accordingly,

it is ORDERED that the application is being electronically returned to the Examiner:

- 1) for consideration and proper response to the Reply Brief filed November 7, 2009; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

/GJH/

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